Application No. 10/798,697
Amendment dated September 24, 2008
Response to Office Action of July 24, 2008

Atty. Docket No. 42P18003
Examiner Alicia Baturay
TC/A.U. 2146

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1 and 15 have been amended. Claims 6-14, 19 and 20 have been canceled previously. No claims have been added. Thus, claims 1-5 and 16-19 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 102(e)

Claims 1-20 were rejected as being anticipated by U.S. Patent Publication No. 2006/0242325 of Ramaswamy, et al. (*Ramaswamy*). Claims 6-14, 19 and 20 have been canceled. Therefore, the rejection of claims 6-14, 19 and 20 is moot. For at least the reasons set forth below, Applicants submit that claims 1-5 and 16-19 are not anticipated by *Ramaswamy*.

Claim 1 recites:

> execute a discoverable home network transcoder server utilizing a Universal Plug and Play (UPnP) protocol to communicatively couple to a media server to receive media signals from the media server, to convert the media signals to a format compatible with more than one media renderers, and to transmit the converted signals to the more than one media renderers, wherein the media signals are converted by the discoverable home network transcoder server before the media signals are requested by any of the more than one media renderers.

Thus, Applicants claim transcoding (or converting) data before it is requested by a media renderer (see, for example, paragraph 0029) by a discoverable home network transcoder server utilizing a UPnP protocol (see, for example, paragraph 0009).

To anticipate a claim, the reference must teach every element of the claim. MPEP § 2131 states:

"A claim is anticipated only if *each and every element as set forth in the
claim is found, either expressly or inherently described*, in a single prior
art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d
628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention
must be shown in as complete detail as is contained in the ... claim."
Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913,
1920 (Fed. Cir. 1989).

Ramaswamy does not expressly or inherently disclose transcoding (or converting) data

before it is requested by a media renderer. Figure 4 merely shows conversion before

retransmission. At best, *Ramaswamy* is silent on the issue. Therefore, *Ramaswamy* does

not provide a *prima facie* case of anticipation. Further, *Ramaswamy* does not disclose

discovery using UPnP protocols. Therefore, *Ramaswamy* cannot anticipate claim 1 or

any claim that depends therefrom.

Claim 15 recites:

incorporating a home network media renderer by a client of a
home network, the client being a module in a web browser having a
network application program that supports a first media file format for the
home network media renderer;
encoding the home network media renderer in the first media file
format to support media files of the first media file format;
converting a media file to a second media file format before
receiving a request for the media file;
requesting from a media server with the network application
program of the client the media file in the second media file format; and
recognizing with a discoverable home network transcoder server
utilizing a Universal Plug and Play (UPnP) protocol that the media file is
of the second media file format and converting the home network media
renderer of the network application program to the second media file
format prior to providing the media file to the web browser module of the
client.

Thus, Applicants claim a method in which a media file is converted in a home network

system by a discoverable home network transcoder server utilizing a UPnP protocol

before the media file is requested.

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As discussed above, *Ramaswamy* does not appear to explicitly disclose transcoding before the file is requests or use of UPnP protocols. Therefore, *Ramaswamy* cannot anticipate claim 15 or any claim that depends therefrom.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-5 and 16-19 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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